



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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January 24, 2001

CERTIFIED RETURN RECEIPT
7099 3400 0016 8896 4141

Robert John Hicken
Mountain Valley Stone
2276 South Daniels Road
Heber City, Utah 84032

Re: Third Review of Notice of Intention to Commence Large Mining Operations, Mountain Valley Stone, Browns Canyon Mine, M/043/019, Summit County, Utah

Dear Mr. Hicken:

The Division has completed a review of your November 15, 2001, response to our October 9, 2001 review letter, regarding your Notice of Intention to Commence Large Mining Operations for the Browns Canyon mine, located in Summit County, Utah. After reviewing the information, there are still some areas that need to be addressed before tentative approval may be granted. The comments are listed below under the applicable Minerals Rule heading. Please format your response in a similar fashion. Comments in *italicized* print describe how you responded to the previous review comment. Comments in ***bold italic still need to be addressed***. Please provide a response to this review by February 28, 2002.

The Division will suspend further review of the Browns Canyon Mine until your response to this letter is received. If you have any questions in this regard please contact me, Lynn Kunzler, or Doug Jensen of the Minerals Staff. If you wish to arrange a meeting to sit down and discuss this review, please contact us at your earliest convenience. Thank you for your cooperation in completing this permitting action.

Sincerely,

D. Wayne Hedberg
Permit Supervisor
Minerals Regulatory Program

jb
Attachment: Third Review
cc: Karen Brostrom, Summit County

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THIRD REVIEW OF NOTICE OF INTENTION TO COMMENCE LARGE MINING OPERATIONS

**Mountain Valley Stone
Browns Canyon Mine
M/043/019**

PLEASE ADDRESS ONLY THOSE ITEMS WHICH ARE *ITALICIZED & BOLDED*

R647-4-104 - Operator(s), Surface and Mineral Ownership

A map showing the land ownership of adjacent properties needs to be included in the plan. (DJ)
The map included with the revision indicates adjacent property ownership to the East. Who are the property owners on the other sides of your operation? (DJ)

R647-4-105 - Maps, Drawings & Photographs

105.1 Topographic base map, boundaries, pre-act disturbance

See comments under R647-4-106.3. (DJ)

105.2 Surface facilities map

The Surface Facilities map should indicate the mining sequence for at least five (5) years indicating the projected mining faces and waste dump outlines. Reclamation of this additional area should be included in the surety calculations. (DJ)

The current and proposed storage area outlines on map labeled Appendix #2, included with the revised notice, does not agree with the topo maps which were also included with the plan. Please indicate which map is correct. (DJ)

105.3 Drawings or Cross Sections (slopes, roads, pads, etc.)

Cross Sections included in the plan indicate overburden dumps and the pit face presently extend to the projected disturbance limits of this permit application. The site map indicates that these features do not extend to this limit at the present time. The cross section should be corrected to reflect this outline is a projected ultimate limit of the feature. Care should be taken to assure that sufficient area would remain between each of these features and the permit boundaries to allow for final reclamation without impacting adjacent unpermitted areas. (DJ)

The topo maps included with the revised plan indicate that adjacent properties on the East and West will be impacted by present and future mining and reclamation activities. Please adjust mining and reclamation outlines to eliminate this problem. (DJ)

R647-4-106 - Operation Plan

106.3 Estimated acreage

The ultimate disturbance outlined on the surface facilities map indicates a proposed acreage of 17.75 acres. Please revise section 106.3 of your plan to include the projected acreage for the various features/facilities, not just the current acreage for the listed features/facilities. (DJ & LK)

The disturbance on the topo map titled "Reclamation Plan" does not agree with the other map included with the revised plan. Please revise. (DJ)

106.5 Existing soil types, location, amount

Appendix #2 of the plan indicates that one of the proposed soil stockpiles will be located at the northern perimeter of the site. If the overburden dump is expanded to the area immediately above this feature, a buffer of some type (i.e. berm) will need to be installed to protect the stockpile from contamination. (DJ & LK)

The new maps supplied with this response do not show the location of the soil and overburden stockpiles. Please show the proposed location of these stockpiles on the facilities map. (LK)

R647-4-107 - Operation Practices

107.4 Deleterious material safely stored or removed

The secondary containment units placed under the above ground diesel and gasoline tanks must be sized to contain at least 110% of the capacity of the tank that it is placed under. (DJ)

Secondary containment has been placed around the fuel tanks at the site. Operator's response satisfies the regulatory requirement for this section of the rule. (DJ)

107.5 Suitable soils removed & stored

The statement under this section concerning the care of the soil stockpile in this part of the plan needs to be revised to be consistent with statements made in R647-4-106.6 (106.6 indicates that the topsoil stockpiles will be seeded as well). (DJ & LK)

The plan has been revised to show that topsoil stockpiles will be seeded to minimize erosion. Operator's response satisfies the regulatory requirement for this section of the rule. (LK)

R647-4-109 - Impact Assessment

109.4 Slope stability, erosion control, air quality, safety

The map included with this application indicates the access road will travel along a portion of the highwall. Additional safety berms should be placed along any portions of the access road that are immediately adjacent to any highwalls. (DJ)

The revised plan states that road berms will be placed where necessary. The operator's response satisfies the regulatory requirements for this section of the rule. (DJ)

R647-4-110 - Reclamation Plan

110.2 Roads, highwalls, slopes, drainages, pits, etc., reclaimed

Please detail how overburden and soil will be used to backfill the steps or benches of the quarry faces. (DJ)

The dump limit shown on the reclamation map shows that the toe of the dumps does not change during the future operations or after reclamation. Please indicate where the overburden and waste material will be placed during future operations and indicate how the dumps will be reduced to 3:1 without expanding the dump footprint. (DJ)

110.5 Revegetation planting program

This portion of the plan states that the operator will use composted manure at a rate of 5 tons an acre with soil on 2.295 acres of the current operation. The remainder of the current operation (4.132 acres) will be reclaimed using fines, overburden and 10 tons/acre of composted manure. The Reclamation Treatments map included in the plan indicates the current operation (6.5 acres) area will be ripped, composted, topsoil applied, and seeded. Also in this section, the plan states that soil materials will be amended with compost. Please review these areas of the plan and revise these sections for continuity and clarity. The surety should reflect the amount of soil amendments to be used during reclamation. (DJ)

The Division recommends that roads and storage areas be ripped to a depth of 2 feet. Please revise the plan to indicate this change. The plan should include reclamation treatments for storage areas. (DJ)

R647-4-111 - Reclamation Practices

111.1 Public safety & welfare

1.15 Constructing berms/fences above highwalls

The present plan indicates that soil stockpiles will be used to form safety berms above the highwall. Because these berms will be consumed during final reclamation, warning signs and/or a fence should be placed above reclaimed highwalls. (DJ)

Signs will be placed to warn the public of the hazards at the site. Operator's response satisfies the regulatory requirement for this section of the rule. (DJ)

111.12 Topsoil redistribution

The plan states that waste dumps will be regraded to a 3:1 configuration and reseeded. These slopes will require the placement of a growth medium (topsoil) and amendments before seeding takes place. (DJ)

The revised plan states that dump surfaces will receive soil and amendments (if needed) when resloping has been completed. The operator's response satisfies the regulatory requirement for this section of the rules. (DJ)

R647-4-113 - Surety

Until an adequate response to this review is received, the reclamation surety amount cannot be confirmed. (DJ)

This comment still applies to the present review. (DJ)

DOCUMENT TRACKING SHEET

USE THIS SHEET WHEN ITEM (S) SHOULD BE SCANNED TO SEVERAL PLACES, SUCH AS A BOND RELEASE FOR AN OUTGOING LETTER. THE LETTER WILL GO IN OUTGOING WITH THIS SHEET BEHIND IT REFERENCEING THE BOND RELEASE FINDINGS IS IN INTERNAL AND THE RECORD # IS ____.

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